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13 AMELIA FOOS

14 UNITED STATES DISTRICT COURT
15 SOUTHERN DISTRICT OF CALIFORNIA
16

17
18 AMELIA FOOS, individually and on behalf
of all others similarly situated,

19 Plaintiff,

20 v.

21 ANN, INC, d/b/a AnnTaylor Retail, Inc., a
22 Delaware corporation,

23 Defendant.

Case No.: 11-cv-2794-L-MDD

JOINT NOTICE OF SETTLEMENT

1 Plaintiff Amelia Foos and defendant Ann Inc., by and through their undersigned counsel
 2 of record, hereby inform the Court that they have come to an agreement on principal settlement
 3 terms for this putative class action. The parties are now working to finalize a stipulation of
 4 settlement. Because the proposed settlement calls for settlement on a class-wide basis, Federal
 5 Rule of Civil Procedure 23(e) requires Court approval prior to dismissal of the action. Soon after
 6 the parties finalize the stipulation of settlement, plaintiff will file a motion seeking preliminary
 7 approval of the settlement, including a plan for the provision of notice to the class. *See Vasquez*
 8 *v. Coast Valley Roofing, Inc.*, 670 F. Supp. 2d 1114, 1124-25 (E.D. Cal. 2009) (discussing the
 9 three steps for seeking court approval of a class-wide settlement).

10 Accordingly, the parties respectfully request that the Court take the Early Neutral
 11 Evaluation Conference currently set for March 20, 2012 off calendar. The parties further request
 12 that the Court not set any future dates to occur in this action.

13 Dated: March 13, 2012

COOLEY LLP

15 s/Michelle C. Doolin (179445)

16 Email: doolinmc@cooley.com

17 Attorneys for Defendant ANN INC.

18 Dated: March 13, 2012

SIPRUT PC

19 s/Joseph J. Siprut (*Pro Hac Vice*)

20 Email: jsiprut@siprut.com

21 Attorneys for Plaintiff AMELIA FOOS

FILER'S ATTESTATION

Pursuant to this Court's Electronic Case Filing Administrative Policies and Procedures, Section 2, Subparagraph f(4), the undersigned attests that all parties have concurred in the filing of this Joint Notice of Settlement.

Dated: March 13, 2012

COOLEY LLP

s/Michelle C. Doolin (179445)
Email: doolinmc@cooley.com

Attorneys for Defendant ANN INC.

744199 v1/SD


CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing:

JOINT NOTICE OF SETTLEMENT

was on this date served upon all counsel of record by electronic transmission through the Case Management/Electronic Case Filing (CM/ECF) system of the U.S. District Court for the Southern District of California, and that all parties in this case are represented by counsel who are CM/ECF participants.

Dated: March 13, 2012

By: 

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